

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/042,245	DONAHUE, JOHN J.	
	<b>Examiner</b>	<b>Art Unit</b>	
	James A. Reagan	3621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to the letter filed on 03 May 2006.
2. ☐ The allowed claim(s) is/are 1,2,5-9,15-21,50,57 and 58.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

**DETAILED ACTION**

**Status of Claims**

1. This action is in response to the letter filed on 03 May 2006.
2. Claims 1-9, 15-21, 50, and 57-58 have been selected.
3. Claims 1, 5-9, 15-18, 20, 21, and 50 have been amended by Examiner's amendment below.
4. Claims 3, 4, 10-14, 22-49, 51-56, and 59-63 have been cancelled by examiner's amendment below.
5. Claims 1, 2, 5-9, 15-21, 50, and 57-58 are currently pending and have been examined.

**Allowable Subject Matter**

6. Claims 1, 2, 5-9, 15-21, 50, and 57-58 are allowed. See Reasons for Allowance under separate heading.

**EXAMINER'S AMENDMENT**

7. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
8. Authorization for this examiner's amendment was given in a telephone interview with Bradley C. Wright on 03 May 2006.
9. The application has been amended as follows:

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (currently amended) A computer-assisted method of negotiating a contract over a computer network between a first negotiator and a second negotiator, comprising the steps of:

(1) displaying on a first computer screen a plurality of predefined contract provisions, each relating to a contract provision and including an agree/defer selector for the first negotiator; a first dialogue box into which the first negotiator can enter text; an agree/defer selector for the second negotiator; and a second dialogue box into which the second negotiator can enter text;

(2) receiving for each of the plurality of predefined contract provisions an agree/defer selection from the first negotiator;

(3) displaying on a second computer screen the plurality of predefined contract provisions, including any agree/defer selections made by the first negotiator; the first dialogue box; the agree/defer selector for the second negotiator, and the second dialog box;

(4) receiving for each of the plurality of predefined contract provisions an agree/defer selection from the second negotiator; and

(5) storing the agree/defer selections made by the first and second negotiators in a computer memory;

(6) in response to detecting that the first and second negotiators have entered identical text in each respective first and second dialogue boxes, permitting the second negotiator to select "agree" and otherwise inhibiting such selection; and

(7) repeating steps (1) and (3) until the first and second negotiator have selected either agree or defer for each of the plurality of contract provisions.

2. (original) The computer-assisted method of claim 1, further comprising the step of preventing the first negotiator from entering text into the second dialogue box.

3. (canceled)

4. (canceled)

5. (currently amended) The computer-assisted method of claim 1, further comprising the step of, in steps (1) and (2), displaying a first response box into which the first negotiator can enter text, and a second response box into which the second negotiator can enter text, the method further comprising the step of:

~~(6)~~ in response to detecting that the first and second negotiators have entered identical text in each respective first and second response box, permitting the first and second negotiators to select "agree" for the agree/defer selector, and otherwise inhibiting such selection.

6. (currently amended) The computer-assisted method of claim 1, further comprising the step of:

~~(6)~~ (a) in response to detecting that the second negotiator has entered text in the second dialogue box, determining whether the first negotiator has indicated acceptance of the text in the second dialogue box and, in response to such acceptance, permitting the first negotiator to select an "agree" selector, and otherwise inhibiting such selection.

7. (currently amended) The computer-assisted method of claim 6, further comprising the step of:

~~(7)~~ (b) in response to detecting that the first negotiator has entered text in the first dialogue box, determining whether the second negotiator has indicated acceptance of the text in the first dialogue box and, in response to such acceptance, permitting the first negotiator to select an "agree" selector, and otherwise inhibiting such selection.

8. (currently amended) The computer-assisted method of claim 7, wherein steps (a) and (b) ~~(6)~~ and ~~(7)~~ comprise the step of determining whether each respective negotiator has entered text into a response box.

9. (currently amended) The computer-assisted method of claim 1, further comprising the step of:

~~(6)~~ in response to detecting that the first and second negotiators have entered different text in each respective first and second dialogue box for a particular contract provision, generating a message highlighting a discrepancy with respect to that particular contract provision.

10. – 14. (Canceled)

15. (currently amended) The method of claim 1, further comprising:

~~(6)~~ (a) repeating steps (1) through (5) for a plurality of different transactions; and

~~(7)~~ (b) generating a summary report that includes, for each of the plurality of different transactions, information identifying the contract and a current contact person for each respective

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transaction, and, in response to selecting one of the current contact persons, generating a message to the one current contact person.

16. (currently amended) The computer-assisted method of claim 15, wherein step (b) ~~(7)~~ comprises the step of including on the summary report a current contact person that has been authorized to act on behalf of one of the negotiators.

17. (currently amended) The computer-assisted method of claim 15, wherein step (b) ~~(7)~~ comprises the step of including on the summary report a current contact person that is identified by a role played in negotiating the transactions.

18. (currently amended) The computer-assisted method of claim 17, wherein step (b) ~~(7)~~ comprises the step of displaying a menu of choices including a plurality of current contacts identified by respective roles played in negotiating the transaction.

19. (original) The computer-assisted method of claim 15, further comprising the step of generating a second summary report that includes, for one of the plurality of different transactions, a plurality of phases into which the one transaction has been partitioned, and displaying different current contact persons for at least two of the plurality of phases.

20. (currently amended) The method of claim 1, further comprising:

~~(6)~~ providing a dual-messaging function that permits members of a transaction team authorized to act on behalf of one of the negotiators to transmit messages to other members of the transaction team that are recorded in a message log that can be viewed by all members of the transaction team, and permits members of the transaction team to selectively transmit messages to other members of the transaction team that are not recorded in the message log, such that they cannot be viewed by all members of the transaction team.

21. (currently amended) The method of claim 1, further comprising:

~~(6)~~ providing a customization function that permits one of the negotiators to, prior to step (1), selectively exclude one or more of the predetermined agreement provisions from being displayed in steps (1) and (3).

22. – 49. (Canceled)

50. (currently amended) The method of claim 1, further comprising:

~~(6)~~ negotiating between the first and second negotiators to reach agreement on at least one of the provisions for which the first and second negotiators did not reach agreement;

~~(7)~~ receiving from each party an evaluation form including information relating to the sale negotiation process; and

~~(8)~~ generating a report including information received from the evaluation form.

51. – 56. (Canceled)

57. (currently amended) The computer-assisted method of claim 15, wherein step (b) ~~(7)~~ comprises the step of generating a summary report that includes the information identifying each transaction on a single line of a multi-line tabular display format.

58. (original) The computer-assisted method of claim 1, wherein the contract relates to a real estate transaction.

59. – 63. (Canceled)

#### Reasons For Allowance

10. The following is an Examiner's statement of reasons for allowance:

None of the art of record, taken individually or combination, disclose at least the method step or system components of:

(1) displaying on a first computer screen a plurality of predefined contract provisions, each relating to a contract provision and including an agree/defer selector for the first negotiator; a first dialogue box into which the first negotiator can enter text; an agree/defer selector for the second negotiator; and a second dialogue box into which the second negotiator can enter text;

(2) receiving for each of the plurality of predefined contract provisions an agree/defer selection from the first negotiator;

(3) displaying on a second computer screen the plurality of predefined contract provisions, including any agree/defer selections made by the first negotiator; the first dialogue box; the agree/defer selector for the second negotiator, and the second dialog box;

(4) receiving for each of the plurality of predefined contract provisions an agree/defer selection from the second negotiator; and

(5) storing the agree/defer selections made by the first and second negotiators in a computer memory;

(6) in response to detecting that the first and second negotiators have entered identical text in each respective first and second dialogue boxes, permitting the second negotiator to select "agree" and otherwise inhibiting such selection; and

(7) repeating steps (1) and (3) until the first and second negotiator have selected either agree or defer for each of the plurality of contract provisions.

More specifically, the prior art of record fails to disclose a "agree/defer" selection, requiring each party of the negotiation to select either "agree" or "defer", and in the case that all parties have inserted identical text, allowing only the "agree" option.

Independent Claim 1 is distinguished over the closest prior art of James Gleick, which teaches an "I agree" button while selecting software installation. As recited in independent claim 1, it is clear that the Applicant's invention is distinguished over the Gleick invention in at least the method step of (6) in response to detecting that the first and second negotiators have entered identical text in each respective first and second dialogue boxes, permitting the second negotiator to select "agree" and otherwise inhibiting such selection. Although Gleick does disclose a button for agreeing to terms, Gleick does not disclose an agree/defer button, nor does Gleick disclose an agreement between identical inserted text fields.

### Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - YOKOGAWA MEDICAL SYSTEMS discloses a medical information provision involves performing negotiation between user terminal and hospital through agency center, while providing stored medical from hospital to user terminal.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to:

**571-273-8300** [Official communications, After Final communications labeled "Box AF"]

**571-273-8300** [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

JAMES A. REAGAN

Primary Examiner

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23 May 2006



**JAMES A. REAGAN  
PRIMARY EXAMINER**